

**APPROVED 01/22/2009**

At 6:05 pm the Board's meeting was called to order by Chairman Cordes in the basement meeting room of the Fremont Town Hall. Present were Selectmen Gene Cordes, Brett Hunter, and Donald Gates; Town Administrator Heidi Carlson; and Neil Rowland video and audio-taped the meeting.

**WARRANT AND BUDGET**

1. Carlson drafted an article for the warrant in follow-up to the NH DRA Warrant Workshop on January 6<sup>th</sup> regarding the Budget Committee and Board of Selectmen making recommendations on money warrant articles. Within current statute, recommendations of the Board and the Committee can only be placed on certain types of articles, including those by petition, for long-term notes or bonds, money into separate funds such as capital reserve, and those designated as special including nonlapsing and nontransferable. The wording for an article in accord with RSA 32:5, V-a as recommended by DRA was as follows:

*To see if the Town will vote pursuant to RSA 32:5, V-a to require that all votes on recommendations on budget items or warrant articles by the Budget Committee and the Board of Selectmen shall be recorded votes and that the numerical tally of such votes shall be printed in the Town Warrant next to the affected warrant article.*

There was discussion on inclusion of this article on the warrant. In the past, Fremont has included such recommendations by the Budget Committee and Board of Selectmen on all articles, but the Department of Revenue Administration is now telling Town's they can only put recommendations on articles as is authorized by statute. The articles authorized by Statute to include the recommendation are only "special" warrant articles (bonds and notes; non-lapsing, transfers to separate funds, such as Capital Reserves). Unless an article such as that proposed in Article 31 is adopted, the recommendations can only be listed on the outlined "special" warrant articles.

Inclusion of the recommendations has been done for a long time in Fremont, and some people find this information helpful. To that end, the Board decided to include this warrant article so that recommendations could be made by both the Selectmen and budget Committee on all warrant articles and appropriation. If the vote on Article 31 is approved by the voters, the recommendation tally votes of the Budget Committee and Board of Selectmen would be included on all appropriation warrant articles.

Gates moved to place the proposed Article 31 on the warrant. Hunter seconded and the vote was unanimously approved 3-0.

2. There was a brief review of Budget Committee public hearing process from Tuesday evening. This included some thoughts that a warrant article narrative is needed now, to be posted as a side document from the Warrant as further explanation of the warrant in advance of the Deliberative Session.

3. Carlson asked the board to look at the "What is SB2" document as voter information which has been pulled together from statute and some other town's website information. Carlson advised that she had been asked by the Moderators to put together an informational document for voters about SB2 which would describe the process. This is a work in progress which may be updated as the process is refined. The Board took a few minutes to read and review this information. There was some discussion about how the Deliberative Session would happen and what the process is for amendments and discussion on each article.

The Board felt this document was fine to put on website as amended with tonight's discussion. This document was reviewed and updated and will be brought back for a final review next week, with some additional proofreading.

**OLD BUSINESS**

1. Selectmen reviewed minutes for 30 December 2008 and 08 January 2009. Motion was made by Hunter to approve the minutes of 08 January 2009 as written. Gates seconded and the vote was approved. Motion was made by Gates to approve the minutes of 30 December 2008 as written. Hunter seconded and the vote was approved unanimously. There was a brief non-public session on the evening of 30 December 2008 and a motion was made to approve those minutes was made by Gates. Hunter seconded and the vote was unanimously approved 3-0.

2. Selectmen reviewed the abatements processed for the Iacozzi Trust and Torromeo on parcels 06-062.012.009 and 009A for tax years 2006, 2007, and 2008 on a portion of the interest due based on the meeting last week with Mr Iacozzi. These abatements are conditional on payment of taxes in full for year 2006 through 2008 being paid by January 31, 2009. That language needed to be added to the forms, and Carlson will reprint and bring them back for signature.

**NEW BUSINESS**

1. Selectmen reviewed the final accounts payable manifest dated 12/31/2008 in the amount of \$17,306.90. Motion was made by Gates and seconded by Hunter to approve this manifest. The vote was unanimously approved. Selectmen then reviewed the accounts payable manifest in the amount of \$55,253.57 dated 01/16/2009. Motion was made by Hunter and seconded by Gates to approve the manifest in the amount of \$55,253.57. The vote was unanimously approved.

2. Selectmen reviewed the MVP Health Insurance contract for signature. It is an overview of coverage and contract for the services. Gates made a motion to formalize our agreement with MVP and affix signatures to the signature page. Hunter seconded and the vote was unanimously approved.

3. Selectmen reviewed the default budget form which was reviewed at the Public Hearing and is to be posted with the Warrant and current budget. Motion was made by Hunter and seconded by Gates to sign the Default Budget for 2009, NH DRA Form MS-DT. The vote was unanimously approved and the Board signed several cover sheets for posting and submission to DRA.

4. Selectmen reviewed the first draft of the Board of Selectmen report for the Annual Report. There was some discussion about the report and the Board reworked some portions of it. With amendments as discussed this evening, Hunter moved to approve the Report of the Board of Selectmen as amended for inclusion in the Town Report. Gates seconded and the vote was unanimously approved.

At 6:50 pm the Board took a 10 minute recess. Carlson went upstairs to reprint some documents.

At 7:00 pm the Board's meeting was returned to order. No Department Heads were present.

Selectmen then reviewed the updated abatement forms for Iacozzi / Torromeo with all of the conditions having been added. These abatements are based on financial hardship and include a reduction in the interest rate as discussed last week. This included the following:

Parcel 06-062.012.009 - Interest on 2006 property tax lien \$1,027.79; Interest on 2007 property tax lien \$440.31; and Interest on 2008 property taxes \$141.83.

Parcel 06-062.012.009.00A - Interest on 2006 property tax lien \$1,027.79; Interest on 2007 property tax lien \$440.31; and Interest on 2008 property taxes \$141.82.

These forms will not be released to the Collector until the settlement has been paid.

Hunter then moved to sign the abatements as approved last week on parcels 06-062.012.009 and 06-062.012.009.00A. Gates seconded and the vote was unanimously approved 3-0.

Selectmen then discussed meeting with Town Counsel to review the warrant and procedure for the Deliberative Session. The Board suggested a meeting with him on January 29<sup>th</sup> at 6:00 pm at the Town Hall. Bob and Michael Rydeen were also interested in participating in such a meeting.

At 7:30 pm Kate Dumas met with the Board. She has expressed interest in the vacant Trustee of trust Funds position. She first spoke with the Board about their positions and why they chose to volunteer as Selectmen.

She has financial background and is interested in becoming involved in the community. She has briefly emailed Pat Martel to learn more about the Trustees, and will plan on further contact before making a decision.

There was discussion about the appointment process and this will be verified with the Town Clerk. It was believed Dumas could run on the ballot for a two or three year term or be appointed for a two year term to fulfill the unexpired term of John Burke. With Trustees of Trust Funds, vacancies are filled to the end of the term, different from most appointments, which are filled only until the next Town Meeting.

Dumas set an appointment for 6:30 pm next Thursday evening to meet with the Board again, and she left the meeting at 7:55 pm.

At 8:00 pm motion was made by Cordes to enter non-public session pursuant to NH RSA 91-A 3 II (c) to discuss a personnel matter. Gates seconded and the vote was unanimously approved 3-0.

Rowland left the meeting at this time.

Selectmen briefly discussed a personnel matter and made no decisions.

Rowland returned to the meeting room. At 8:05 pm Hunter moved to return to public session. Gates seconded and the vote was unanimously approved 3-0.

Gates then moved to sign the signature page of the warrant once it had been reprinted. Hunter seconded and the vote was unanimously approved. The Warrant is included as Exhibit 1 to these minutes.

## **NEXT WEEK**

The next regular Board meeting will be held on Thursday January 22, 2009 at 6:00 pm.

With no further business to come before the Board, motion was made by Hunter and seconded by Gates to adjourn the meeting at 8:06 pm. The vote was unanimously approved.

Respectfully submitted,

Heidi Carlson  
Town Administrator

## Exhibit 1

**TOWN OF FREMONT NH  
2009 TOWN MEETING WARRANT**

**To the inhabitants of the Town of Fremont in the County of  
Rockingham in said State, qualified to vote in Town Affairs:**

PURSUANT TO RSA 40:13 II, THE FIRST SESSION OF THE 2009 TOWN MEETING (THE DELIBERATIVE SESSION) SHALL BE HELD ON SATURDAY JANUARY 31, 2009 AT THE ELLIS SCHOOL AT 432 MAIN STREET IN FREMONT NEW HAMPSHIRE BEGINNING AT 9:00 AM. THE SNOW DATE FOR THIS SESSION WILL BE HELD MONDAY FEBRUARY 2, 2009 BEGINNING AT 7:00 PM.

THE SECOND SESSION (VOTING SESSION) SHALL BE HELD ON TUESDAY MARCH 10, 2009 AT THE FREMONT SAFETY COMPLEX AT 425 MAIN STREET IN FREMONT NEW HAMPSHIRE WITH POLLS OPEN FROM 7:00 AM to 8:00 PM.

ALL ARTICLES WILL BE VOTED UPON BY OFFICIAL BALLOT WITH ANY AMENDMENTS AS MADE AT THE DELIBERATIVE SESSION.

**ARTICLE 1:** To choose by ballot all necessary Town Officers for the ensuing year.

**ARTICLE 2:** Are you in favor of amending the Fremont Zoning Ordinance by adding new Article IV-3:A follows:

Article IV Section 3-A

As it relates to Article IV Section 3 and Article XI Section E-1; where-ever a commercial use or a mixed use of residential and commercial are proposed on the same lot the minimum lot size shall be further determined in that each 2000 square feet (or any part thereof) of commercial use shall constitute a calculate-able unit for the purpose of determining the minimum lot size. The lot size minimum is as determined by Article IV Section 3 and/or Article XI Section E-1; whichever applies.

Examples:

The minimum lot size for consideration of commercial Conditional Use Permit in the Flexible Use District would be 2 acres or if in the Aquifer Protection District the minimum lot size for a commercial conditional use permit would be 3 acres.

A proposed 10,000 sq ft commercial

A 10,000 square foot commercial use outside of the Aquifer District would require a total of 4.3 acres. Calculation:  $10,000/2000 = 5$  units and minimum lot size is 2 acres, 2 acres plus 20,000 sq ft times the number of units (5) of calculation = 4.3 acres.

A proposed 4000 square foot mixed use w/3 residential

A mixed use 4,000 square foot commercial with 3 residential 2 bedroom dwelling units.

The lot is outside the Aquifer. Calculation:  $4,000/2000 = 2$  plus 3 dwelling units = 5 calculate-able units and the minimum lot size is 2 acres, 2 acres plus 20,000 sq ft times the number of units (5) of calculation = 4.3 acres.

(See also Article XI Section E-1)

**ARTICLE 3:** Shall the Town of Fremont raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set

forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$2,541,438? Should this article be defeated, the default budget shall be \$2,531,763, which is the same as last year, with certain adjustments required by previous action of the Town of Fremont or by law or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

Note: This operating budget warrant article does not include appropriations contained in ANY other warrant articles.

**ARTICLE 4:** To see if the Town will vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000) to be placed in the Highway Building Capital Reserve Fund. The Selectmen recommend this appropriation and the Budget Committee does not recommend this appropriation. (Majority vote required.)

**ARTICLE 5:** To see if the Town will vote to raise and appropriate the sum of twelve thousand five hundred dollars (\$12,500) to be placed in the Police Cruiser Capital Reserve Fund. The Selectmen recommend this appropriation. The Budget Committee does not recommend the appropriation. (Majority vote required.)

**ARTICLE 6:** To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be placed in the Town Hall Renovations Capital Reserve Fund. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

**ARTICLE 7:** To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be placed in the Revaluation Capital Reserve Fund. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

**ARTICLE 8:** To see if the Town will vote to raise and appropriate the sum of ten thousand dollars (\$10,000) to be placed in the Expansion/Renovation of the Fremont Historic Museum Capital Reserve Fund. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

**ARTICLE 9:** To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be placed in the Fire Truck Capital Reserve Fund. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

**ARTICLE 10:** To see if the Town will vote to raise and appropriate the sum of five thousand dollars (\$5,000) to be placed in the Radio Communication Equipment Capital Reserve Fund. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

**ARTICLE 11:** To see if the Town will vote to raise and appropriate the sum of twenty thousand dollars (\$20,000) to be placed in the Highway Equipment Capital Reserve Fund. The Selectmen recommend this appropriation and the Budget Committee does not recommend this appropriation. (Majority vote required.)

**ARTICLE 12:** To see if the Town will vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000) for the purchase of a roller and trailer for the Highway Department; and further to authorize the withdrawal of fifteen thousand dollars (\$15,000) from the Highway Equipment Capital Reserve Fund created for this purpose. (Majority vote required.)

**ARTICLE 13:** To see if the Town will vote to raise and appropriate the sum of forty-nine thousand five hundred fifty dollars (\$49,550) to continue the Public Health Mosquito Control Program. (Majority vote required.)

**ARTICLE 14:** To see if the Town will vote to raise and appropriate the sum of seventy-four thousand six hundred twenty dollars (\$74,620) to do paving and overlay work, and do associated shoulder work on sections of Rogers Road from Beede Hill Road to Shirkin Road; Shirkin Road from Beede Hill Road to Rogers Road; Bean Road between Pine Street and Beach Street; and to pave Clough Crossing. (Majority vote required.)

**ARTICLE 15:** To see if the Town will vote to raise and appropriate the sum of twenty-five thousand sixty-nine dollars (\$25,069) to purchase and equip a 2009 Police Cruiser for the Police Department; and further to authorize the withdrawal of twenty-five thousand sixty-nine dollars (\$25,069) from the Police Cruiser Capital Reserve Fund created for this purpose. (Majority vote required.)

**ARTICLE 16:** To see if the Town will vote to raise and appropriate the sum of eighteen thousand one hundred ninety-seven dollars (\$18,197) to purchase and equip a used vehicle for use by the detective/juvenile division of the Fremont Police Department; and further to authorize the withdrawal of eleven thousand dollars (\$11,000) from the Police Cruiser Capital Reserve Fund created for this purpose. (Majority vote required.)

**ARTICLE 17:** To see if the Town will vote to raise and appropriate the sum of seventy thousand dollars (\$70,000) to perform an assessment recertification for the tax year beginning 04/01/2010 pursuant to NH DRA Rules; and further to authorize the withdrawal of seventy thousand dollars (\$70,000) from the Revaluation Capital Reserve Fund created for this purpose. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the recertification is complete or by December 31, 2010, whichever is sooner. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

**ARTICLE 18:** To see if the Town will vote to raise and appropriate the sum of one thousand six hundred fifteen dollars (\$1,615) for an increase in the Town Clerk's salary. (Majority vote required.)

**ARTICLE 19:** To see if the Town will vote to raise and appropriate the sum of six hundred dollars (\$600) for an increase in the Treasurer's salary. (Majority vote required.)

**ARTICLE 20:** To see if the Town will vote to raise and appropriate the sum of fifty dollars (\$50) for an increase in the Deputy Treasurer's stipend. (Majority vote required.)

**ARTICLE 21:** To see if the Town will vote to raise and appropriate the sum of two hundred forty thousand dollars (\$240,000) to renovate the basement of the Fremont Town Hall; and further to authorize the withdrawal of up to one hundred thousand dollars (\$100,000) from the Town Hall Renovation Capital Reserve Fund created for this purpose. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the renovations are complete or by December 31, 2010, whichever is sooner. The Selectmen recommend this appropriation and the Budget Committee does not recommend this appropriation. (Majority vote required.)

**ARTICLE 22:** To see if the Town will vote to discontinue the Fremont Cable Access Expendable Trust Fund created in 2008. No monies are in this fund. (Majority vote required.)

**ARTICLE 23:** To see if the Town will vote to establish a revolving fund pursuant to RSA 31:95-h, for the purpose of Cable Access, and to raise and appropriate twenty-five thousand dollars (\$25,000) from cable franchise fees, to be placed in said fund. All revenues received from cable franchise fees will be deposited

into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the Town's General Fund unreserved fund balance. The Town Treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created.

**ARTICLE 24:** To see if the Town will vote to raise and appropriate the sum of twenty-two thousand dollars (\$22,000) for repair of a stone wall on North Road at parcel 06-047.001.003.001 to include necessary safety considerations, such as a guardrail, at this location. (Majority vote required.)

**ARTICLE 25:** To see if the Town will vote to raise and appropriate the sum of four hundred twenty-five dollars (\$425) in support of the American Red Cross, Manchester Chapter. If approved, in future years this agency would become part of the Vendor Payments operating budget. (Majority vote required.)

**ARTICLE 26:** To see if the Town will vote to adopt the provisions of NH RSA 36-A:4-a, I (b) to authorize the Conservation Commission to expend funds for contributions to qualified organizations for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the Town will retain no interest in the property.

**ARTICLE 27:** To see if the Town will vote to adopt the provisions of NH RSA 72:62 for the property tax exemption on real property equipped with solar energy systems, which exemption shall be in an amount equal to one hundred percent (100%) of the assessed value of the solar energy systems, in accordance with NH RSA 72:61, 72:27, 72:33, 72:34; and 72:34-a.

**ARTICLE 28:** To see if the Town will vote to adopt the provisions of NH RSA 72:66 for the property tax exemption on real property equipped with wind-powered energy systems, which exemption shall be in an amount equal to one hundred percent (100%) of the assessed value of the wind-powered energy systems, in accordance with NH RSA 72:65, 72:27, 72:33, 72:34; and 72:34-a.

**ARTICLE 29:** To see if the Town will vote to adopt the provisions of NH RSA 72:70 for the property tax exemption on real property equipped with wood heating energy systems, which exemption shall be in an amount equal to one hundred percent (100%) of the assessed value of the wood heating energy systems in accordance with NH RSA 72:69, 72:27, 72:33, 72:34; and 72:34-a .

**ARTICLE 30:** To see if the Town will vote to adopt the provisions of NH RSA 72:37-b Exemption for the Disabled for taxpayers, who, if qualified, shall receive a yearly exemption in an amount of \$50,000. To qualify, the person must have been a New Hampshire resident for at least 5 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition, the taxpayer must have a net income of not more than \$25,000, or, if married, a combined net income of not more than \$35,000; and own net assets not in excess of \$45,000 excluding the value of the person's residence.

**ARTICLE 31:** To see if the Town will vote pursuant to RSA 32:5, V-a to require that all votes on recommendations on budget items or warrant articles by the Budget Committee and the Board of Selectmen shall be recorded votes and that the numerical tally of such votes shall be printed in the Town Warrant next to the affected warrant article.

**ARTICLE 32:** To see if the Town will vote to accept deeded title to Risloves Way (approximately 2,660 feet) as designated on Plan # D-31622 and D-32813 from Allan Rislove, with a two year maintenance bond to be held by the Town in the amount of \$50,000. (Majority vote required.)

**ARTICLE 33:** To see if the Town will vote to accept deeded title to Moose Meadow (approximately 1,150 feet) as designated on Plan # D-34369 from Shawn and Kim Senter, with a two year maintenance bond to be held by the Town in the amount of \$25,000. (Majority vote required.)

**Given under our hands and seal this Fifteenth day of January in the Year of Our Lord Two Thousand and Nine.**

A True Copy Attest:

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Gene Cordes

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Gene Cordes

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Donald W Gates Jr

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Donald W Gates Jr

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Brett A Hunter

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Brett A Hunter

**Selectmen ~ Town of Fremont New Hampshire**